

Internal Revenue Service

District
Director



Department of the Treasury

55 Third St., Brooklyn, N.Y. 11201
INTERNAL REVENUE SERVICE
P. O. BOX 1080, GPO
BROOKLYN, N. Y. 11202

Date: **FEB 11 1985**

Person to Contact:

Contact Telephone Number:

Refer Reply to:

CERTIFIED MAIL

• Gentlemen:

We have considered your application for recognition of exemption from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

The evidence presented disclosed that you were incorporated [REDACTED], under section [REDACTED] of the Not-for-Profit Corporation Law. Your purposes are stated as follows: to bring together the members of the Paralegal profession in the area in and about [REDACTED] to promote the ideals of the paralegal profession among them in relation to the public and to the legal community; to aid and encourage cooperation and improvement in the practice of paralegals in the profession of law; to provide media for such cooperation and improvement and to encourage the personal and professional development of paralegals and students.

Your membership consists of those interested in the objectives and purposes of the association. Your activities include monthly meetings for members, publishing a bimonthly newsletter, disseminating information concerning professional development, referring members for jobs and an annual survey of the paralegal profession on [REDACTED].

Section 501(c)(3) of the Code provides exemption from Federal income tax to any corporation, organized and operated exclusively for religious, charitable, literary or educational purposes, of which no part of the net earnings inures to the benefit of any private shareholder or individual.

Section 1.501(c)(3)-1(a) of the Income Tax Regulations states that in order to be exempt as an organization described in section 501(c)(3), an organization must be both organized and operated exclusively for one or more of the purposes specified in such section. If an organization fails to meet either the organizational or the operational test, it is not exempt.

Section 1.501(c)(3)-1(d)(1)(ii) of the Income Tax Regulations provides that an organization is not organized and operated exclusively for educational purposes unless it services a public rather than a private interest.

On the basis of the evidence presented we hold that you are not organized and operated in accordance with section 501(c)(3) of the IRC . Your Certificate of Incorporation does not meet the organizational requirements since it does not contain the following clauses:

Notwithstanding any other provision of these articles, the corporation is organized exclusively for one or more of the following purposes: religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, as specified in section 501(c)(3) of the Internal Revenue Code of 1954, and shall not carry on any activities not permitted to be carried on by a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

No substantial part of the activities of the corporation shall be carrying on propaganda, or otherwise attempting, to influence legislation (except as otherwise provided by Internal Revenue Code section 501(h)), or participating in, or intervening in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office.

"In the event of dissolution, all of the remaining assets and property of the corporation shall after necessary expenses thereof be distributed to such organizations as shall qualify under section 501(c)(3) of the Internal Revenue Code of 1954, as amended, or, to another organization to be used in such manner as in the judgment of a Justice of the Supreme Court of the State of [REDACTED] will best accomplish the general purposes for which this corporation was formed.

Furthermore, your activities are not exclusively charitable or educational as defined in the regulations.

Consequently, you do not qualify for exempt status under section 501(c)(3) of the Internal Revenue Code.

If you do not agree with this determination you may protest in accordance with the enclosed instructions within 30 days.

(3)

Protests submitted which do not contain all the documentation stated in the instructions will be returned for completions.

If we do not hear from you within that time this determination will be considered final and the appropriate State Officials will be notified.

If you do not protest this proposed determination in a timely manner, it will be considered by the Internal Revenue Service as a failure to exhaust available administrative remedies. Section 7428(b)(2) of the Internal Revenue Code provides in part that "A declaratory judgment or decree under this section shall not be issued in any proceeding unless the Tax Court, the Claims Court, or the district court of the United States for the District of Columbia determines that the organization involved has exhausted administrative remedies available to it within the Internal Revenue Service."

You are required to file a taxable return Form 1120 or 1041 with the District Director of Internal Revenue Service. Please send the return to the Internal Revenue Service, P.O. Box 1680, General Post Office, Brooklyn, NY 11202.

Sincerely yours,

/s/ [REDACTED]

District Director

Enclosure: Publication 892